

Practitioner's Docket No. 17396/09015



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Maurice R. De Billot, et al. Confirmation No.: 8087  
Application No.: 10/026,301 Group No.: 1617  
Filed: 12/19/2001 Examiner: Abigail M. Cotton

For: Method of Improving Yield and Vigor of Plants

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

■ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

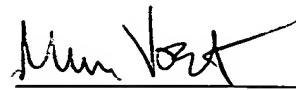
■ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

  
\_\_\_\_\_  
Signature

Mim Voet

\_\_\_\_\_  
(type or print name of person certifying)

Date: February 2, 2007

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	OTHER THAN A SMALL ENTITY					
				RATE			ADDIT. FEE		
TOTAL	30	— 75	= 0	x \$ 50.00	=	\$	0.00		
INDEP.	1	— 9	= 0	x \$ 200.00	=	\$	0.00		
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	=	\$	0.00		
TOTAL ADDIT. FEE							\$	0.00	

No additional fee for claims is required.

### FEE DEFICIENCY

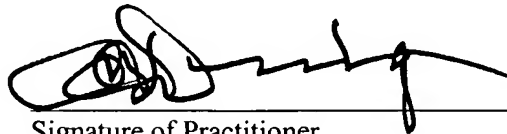
5. If an extension and/or fee is required, charge Deposit Account No. 50-2548.

If a fee for claims is required, charge Deposit Account No. 50-2548.

Date: February 2, 2007

Reg. No.: 35,124

Telephone No.: 864-250-2238  
Facsimile No.: 803-255-9831  
Customer No.: 45850



Signature of Practitioner  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION NO. : 10/026,301 CONFIRMATION NO. 8087  
APPLICANT De Billot *et al.*  
FILED: December 19, 2001  
TC/A.U. 1617  
EXAMINER : Abigail M. Cotton  
DOCKET NO. : 17396/09015  
CUSTOMER NO. : 45850



**RESPONSE AND AMENDMENT UNDER 37 CFR §1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Office Action of November 15, 2006, and is intended to address each and every issue that was raised in the Action. This Response is believed to be timely with respect to the shortened statutory period for response that was set in the Action.

There are no **Amendments to the Specification.**

**Amendments to the claims** are shown in the listing of the claims that begins on page 2 of this paper.

There are no **Amendments to the Drawings.**

**Remarks/Arguments** begin on page 20 of this paper.